

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

BMW OF NORTH AMERICA, LLC, a  
Delaware Limited Liability Company,

Plaintiff,

vs.

MKRTICH AYRAPETYAN; an  
individual,

Defendants.

CASE NO. CV 13-8470-GW(SHx)  
(The Hon. George H. Wu - Courtroom 10)

**ORDER COMMANDING  
ABISOGOM AYRAPETYAN TO  
APPEAR IN COURT AND SHOW  
CAUSE WHY HE SHOULD NOT  
BE HELD IN CONTEMPT OF  
COURT AND WHY SANCTIONS  
SHOULD NOT BE IMPOSED ON  
HIM**

DATE: FEBRUARY 25, 2016  
TIME: 8:30 A.M.  
COURTROOM: "10"  
312 North Spring St.  
Los Angeles, CA 90012

Judgment Entered: January 16, 2015

The motion of BMW OF NORTH AMERICA, LLC ("Plaintiff" or "Judgment Creditor") FOR ISSUANCE OF ORDER TO SHOW CAUSE AND ORDER IMPOSING SANCTIONS RE ABISOGOM AYRAPETYAN'S CONTEMPT OF SUBPOENA (the "Motion") came on regularly for hearing at the date, time, and place set forth above. Israel Saperstein, Esq., appeared for

1 argument on behalf of Judgment Creditor. No appearance was made for  
2 defendant, Mkrtich Ayrapetyan, and no appearance was made for Abisogom  
3 Ayrapetyan.

4 The Court having reviewed and considered comments of counsel and the  
5 Moving papers of Plaintiff, and good cause appearing therefor,

6 **IT IS HEREBY ORDERED** as follows:

7 1. Plaintiff has shown that Abisogom Ayrapetyan violated this Court's  
8 order by failing to appear for his deposition and otherwise comply with the  
9 subpoenas duces tecum served on him.

10 2. Therefore, the Court grants Plaintiff's request for an order to show  
11 cause.

12 3. Abisogom Ayrapetyan is **COMMANDED TO APPEAR IN PERSON**  
13 before the undersigned Honorable George H. Wu on March 31, 2016 at 8:30 a.m.  
14 in Courtroom 10, United States District Court, 312 N. Spring Street, Los Angeles,  
15 California 90012 to **SHOW CAUSE** as to why he should not be held in  
16 **CONTEMPT** for his failure to comply with the subpoenas duces tecum served on  
17 him.

18 4. Should Abisogom Ayrapetyan comply with the subpoenas duces tecum  
19 by attending his deposition, producing documents identified in the subpoenas,  
20 cooperating with the examination, and giving testimony in good faith according to  
21 the Federal Rules of Civil Procedure before March 31, 2016, the parties shall notify  
22 the Court immediately, the March 31, 2016 show cause hearing will be vacated,  
23 and he will not need to appear on March 31, 2016.

24 5. **Abisogom Ayrapetyan is strongly cautioned that failure to comply**  
25 **with this order will result in the issuance of compensatory contempt sanctions**  
26 **in the amount of Plaintiff's reasonable fees and costs *and* may result in arrest**  
27 **by the United States Marshals Service.**

1           6.   Should Abisogom Ayrapetyan be found in contempt, the Court will  
2 consider Plaintiff's request for the issuance of compensatory sanctions against him;  
3 accordingly, Plaintiff is ordered to submit evidence of the fees and costs it requests  
4 within twenty-one days of the date of this order. Should Abisogom Ayrapetyan  
5 wish to respond, the response must be filed no later than one week thereafter.

6           7.   The Court strongly urges the parties to resolve these disputes prior to  
7 the show cause hearing.

8           8.   If the show cause hearing is vacated, Plaintiff is not precluded from  
9 seeking sanctions for Abisogom Ayrapetyan's prior failure to comply with the  
10 subpoenas duces tecum served on him.

11  
12           IT IS SO ORDERED.

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14           Dated: February 26, 2016



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15           THE HONORABLE GEORGE H. WU  
16           UNITED STATES DISTRICT JUDGE